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8 **BEFORE THE**
9 **STRUCTURAL PEST CONTROL BOARD**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

Case No. 2015-8

12 **ROBIN NASON**

DEFAULT DECISION AND ORDER

13 **1969 N. Pederson Avenue**
14 **Sanger, CA 93657**

[Gov. Code, §11520]

14 **Field Representative License No. 37213**

15 Respondent.

16
17 **FINDINGS OF FACT**

18 1. On or about August 25, 2014, Complainant Susan Saylor, in her official capacity as
19 the Registrar/Executive Officer of the Structural Pest Control Board, Department of Consumer
20 Affairs, filed Accusation No. 2015-8 against Robin Nason (Respondent) before the Structural
21 Pest Control Board. (Accusation attached as Exhibit A.)

22 2. On or about April 29, 2004, the Structural Pest Control Board (Board) issued Field
23 Representative License No. 37213 to Respondent. The Field Representative License was in full
24 force and effect at all times relevant to the charges brought in Accusation No. 2015-8 and expired
25 on June 30, 2015.

26 3. On or about August 26, 2014, Respondent was served by Certified and First Class
27 Mail copies of the Accusation No. 2015-8, Statement to Respondent, Notice of Defense, Request
28 for Discovery, and Discovery Statutes (Government Code sections 11507.5, 11507.6, and

1 11507.7) at Respondent's address of record which, pursuant to Business and Professions Code
2 section 136, is required to be reported and maintained with the Board. Respondent's address of
3 record was 5513 E. Pitt Ave., Fresno, CA 93727

4 4. Service of the Accusation was effective as a matter of law under the provisions of
5 Government Code section 11505, subdivision (c) and/or Business & Professions Code section
6 124.

7 5. On or about September 9, 2014, the aforementioned documents were returned by the
8 U.S. Postal Service marked "ANK, address not known".

9 6. On or about September 11, 2014, Respondent was served again by Certified and First
10 Class Mail copies of the Accusation No. 2015-8, Statement to Respondent, Notice of Defense,

11 Request for Discovery, and Discovery Statutes at Respondent's last known residence at 1969 N.
12 Pederson Avenue, Sanger, CA 93657.

13 7. On or about October 9, 2014, the aforementioned documents were returned by the
14 U.S. Postal Service marked "Return to Sender, Unclaimed, Unable to Forward".

15 8. Government Code section 11506 states, in pertinent part:

16 (c) The respondent shall be entitled to a hearing on the merits if the respondent
17 files a notice of defense, and the notice shall be deemed a specific denial of all parts
18 of the accusation not expressly admitted. Failure to file a notice of defense shall
19 constitute a waiver of respondent's right to a hearing, but the agency in its discretion
20 may nevertheless grant a hearing.

21 9. Respondent failed to file a Notice of Defense within 15 days after service upon him
22 of the Accusation, and therefore waived his right to a hearing on the merits of Accusation No.
23 2015-8.

24 10. California Government Code section 11520 states, in pertinent part:

25 (a) If the respondent either fails to file a notice of defense or to appear at the
26 hearing, the agency may take action based upon the respondent's express admissions
27 or upon other evidence and affidavits may be used as evidence without any notice to
28 respondent.

11. Pursuant to its authority under Government Code section 11520, the Board finds
Respondent is in default. The Board will take action without further hearing and, based on the
relevant evidence contained in the Default Decision Evidence Packet in this matter, as well as

1 taking official notice of all the investigatory reports, exhibits and statements contained therein on
2 file at the Board's offices regarding the allegations contained in Accusation No. 2015-8, finds that
3 the charges and allegations in Accusation No. 2015-8, are separately and severally, found to be
4 true and correct by clear and convincing evidence.

5 12. Taking official notice of its own internal records, pursuant to Business and
6 Professions Code section 125.3, it is hereby determined that the reasonable costs for Investigation
7 and Enforcement is \$892.00 as of June 19, 2015.

8 DETERMINATION OF ISSUES

9 1. Based on the foregoing findings of fact, Respondent Robin Nason has subjected his
10 Field Representative License No. 37213 to discipline.

11 2. The agency has jurisdiction to adjudicate this case by default.

12 3. The Structural Pest Control Board is authorized to revoke Respondent's Field
13 Representative License based upon the following violations alleged in the Accusation which are
14 supported by the evidence contained in the Default Decision Evidence Packet in this case.:

15 a. Respondent is subject to discipline under Business and Professions Code section
16 8641, for failure to comply with California Code of Regulation, title 16, section 1950, by failing
17 to submit verification that he had completed 16 hours of continuing education. Respondent failed
18 to submit copies of the continuing education certificates as requested by the Board on November
19 28, 2012, January 9, 2013, and October 23, 2013.

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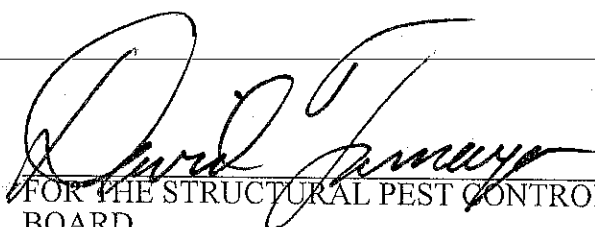
1 ORDER

2 IT IS SO ORDERED that Field Representative License No. 37213, heretofore issued to
3 Respondent Robin Nason, is revoked.

4 Pursuant to Government Code section 11520, subdivision (c), Respondent may serve a
5 written motion requesting that the Decision be vacated and stating the grounds relied on within
6 seven (7) days after service of the Decision on Respondent. The agency in its discretion may
7 vacate the Decision and grant a hearing on a showing of good cause, as defined in the statute.

8 This Decision shall become effective on October 4, 2015.

9 It is so ORDERED September 4, 2015

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11 
12 FOR THE STRUCTURAL PEST CONTROL
13 BOARD
14 DEPARTMENT OF CONSUMER AFFAIRS

15 11915905.DOC
16 DOJ Matter ID: SA2014116590

17 Attachment:
18 Exhibit A: Accusation
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